



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/509,093

09/28/2004

Joachim Johansson

1505-1057

9917

466 7590 11/20/2008

YOUNG & THOMPSON
209 Madison Street
Suite 500
ALEXANDRIA, VA 22314

EXAMINER

JAKOVAC, RYAN J

ART UNIT

PAPER NUMBER

2445

MAIL DATE

DELIVERY MODE

11/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/509,093	Applicant(s) JOHANSSON ET AL.	
	Examiner RYAN J. JAKOVAC	Art Unit 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 43-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims recite the term “in the future” for which the “present” time is not defined, thereby rendering the scope of the claim indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 23-44 are rejected under 35 U.S.C. 102(b) as being anticipated by “RFC 2131 - Dynamic Host Configuration Protocol” (hereinafter DHCP).

Regarding claims 23 and 32-34, DHCP teaches a method, a resource manager, and a computer program product for reserving network resources within an IP network, wherein the resources are reserved by a resource manager for an application or a group of applications within a time interval defined by a start-time and a stop-time (DHCP, Ch. 1, 2nd paragraph, DHCP servers (i.e. resource manager) allocate network addresses and deliver configuration parameters (i.e. resources) to hosts (i.e. application).), characterised in that the method comprises the step of:

Art Unit: 2445

guaranteeing said resources between said start-time and said stop-time (DHCP, Ch. 1, 5th paragraph, DHCP servers assign IP addresses to clients for a limited period of time. Ch. 1.6, paragraphs 8-10, DHCP guarantees that any specific network address will not be in use by more than one DHCP client at a time.), and keeping said resources for the application after said stop-time has expired if said application still needs resources (DHCP, Ch. 4.4.5, 7th paragraph, A lease on a IP address may be renewed past its expiration date.), wherein the resource manager is keeping a list of active reservations that have expired after said stop-time (DHCP, Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses. Ch. 2.2, 2nd paragraph, Addresses whose lease has expired are reused.).

Regarding claim 24, DHCP teaches the method according to claim 23, characterised in that all resource reservations are utilising a common pool of resources (DHCP, Ch. 1, 2nd paragraph, DHCP servers allocate network addresses (i.e. common pool of resources) and deliver configuration parameters (i.e. resources) to hosts. Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses (i.e. common pool of resources).).

Regarding claim 25, DHCP teaches the method according to claim 23, characterised in that individual start-time and stop-time are set for each application by an application client (DHCP, Ch. 3.1, 2nd paragraph, The client (i.e. application) suggests values for the network address and lease duration.).

Art Unit: 2445

Regarding claim 26, DHCP teaches the method according to claim 23, characterised in that individual start-time and stop-time are set for each application by the resource manager (DHCP, Ch. 3.1, 2nd paragraph-Ch. 3.2, The server (i.e. resource manager) sends a DHCPOFFER message including configuration parameters (i.e. start and stop-time). Ch. 4.3.1, DHCP server assigns the lease (i.e. start and stop times) to the client (i.e. application).).

Regarding claim 27, DHCP teaches the method according to claim 23, characterised in that said start-time is set to the current time (DHCP, Ch. 4.3.1, DHCP server assigns a locally configured default lease time to the client (i.e. application).).

Regarding claim 28, DHCP teaches the method according to claim 27, characterised in that said stop-time is set to the current time (DHCP, Ch. 2.2, 2nd paragraph, Addresses whose lease has expired are reused.).

Regarding claim 29, DHCP teaches the method according to claim 23, characterised in that said stop-time is set to infinity (DHCP, Ch. 3.3, 1st paragraph, Client lease times set to infinity.).

Regarding claim 30, DHCP teaches the method according to claim 23, characterised in that charging of said resources is based on the amount of guaranteed resources (DHCP, Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses from which it assigns IP addresses to

Art Unit: 2445

clients. Ch. 1.6, paragraphs 8-10, DHCP guarantees that any specific network address will not be in use by more than one DHCP client at a time.).

Regarding claim 31, DHCP teaches the method according to claim 23, characterised in that said resources are related to the bandwidth (DHCP, Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses from which it assigns IP addresses to clients. The increase in IP addresses allocated puts more clients on the network and is therefore related to bandwidth.).

Regarding claim 35, DHCP teaches resource manager according to claim 34, characterised in that all resource reservations are utilising a common pool of resources (DHCP, Ch. 1, 2nd paragraph, DHCP servers allocate network addresses (i.e. common pool of resources) and deliver configuration parameters (i.e. resources) to hosts. Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses (i.e. common pool of resources).).

Regarding claim 36, DHCP teaches resource manager according to claim 34, characterised in that said resource manager comprises means for allowing the each application client to set individual start-time and stop-time for said application (DHCP, Ch. 3.1, 2nd paragraph, The client (i.e. application) suggests values for the network address and lease duration.).

Regarding claim 37, DHCP teaches resource manager according to claim 34, characterised in that said resource manager comprises means for setting individual start-time and

Art Unit: 2445

stop-time for each application (DHCP, Ch. 3.1, 2nd paragraph-Ch. 3.2, The server (i.e. resource manager) sends a DHCPOFFER message including configuration parameters (i.e. start and stop-time). Ch. 4.3.1, DHCP server assigns the lease (i.e. start and stop times) to the client (i.e. application)).).

Regarding claim 38, DHCP teaches resource manager according to claim 34, characterised in that said resource manager comprises means for setting said start-time to the current time (DHCP, Ch. 4.3.1, DHCP server assigns a locally configured default lease time to the client (i.e. application)).).

Regarding claim 39, DHCP teaches resource manager according to claim 38, characterised in that said resource manager comprises means for setting said stop-time to the current time (DHCP, Ch. 2.2, 2nd paragraph, Addresses whose lease has expired are reused.).).

Regarding claim 40, DHCP teaches resource manager according to claim 34, characterised in that said resource manager comprises means for setting said stop-time to infinity (DHCP, Ch. 3.3, 1st paragraph, Client lease times set to infinity.).).

Regarding claim 41, DHCP teaches resource manager according to claim 34, characterised in that said resource manager comprising means for basing the charging of said resources on the amount of guaranteed resources (DHCP, Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses from which it assigns IP addresses to clients. Ch. 1.6, paragraphs 8-10,

Art Unit: 2445

DHCP guarantees that any specific network address will not be in use by more than one DHCP client at a time.).

Regarding claim 42, DHCP teaches resource manager according to claim 34, characterised in that said resources are related to the bandwidth (DHCP, Ch. 4.3.1., 3rd paragraph, The server keeps a pool of addresses from which it assigns IP addresses to clients. The increase in IP addresses allocated puts more clients on the network and is therefore related to bandwidth.).

Regarding claim 43, DHCP teaches the method according to Claim 23, wherein said start-time is set to a time in the future (DHCP, Ch. 1, 5th paragraph, DHCP servers assign IP addresses to clients for a limited period of time. This time is necessarily “in the future” since the assignment happens at a point after the server receives a client request (See ch. 3.1). See also Ch. 3.1, 2nd paragraph, The client (i.e. application) suggests values for the network address and lease duration).

Regarding claim 44, DHCP teaches the resource manager according to claim 34, wherein said start-time is set to a time in the future (DHCP, Ch. 1, 5th paragraph, DHCP servers assign IP addresses to clients for a limited period of time. This time is necessarily “in the future” since the assignment happens at a point after the server receives a client request (See ch. 3.1). See also Ch. 3.1, 2nd paragraph, The client (i.e. application) suggests values for the network address and lease duration).

Response to Arguments

3. Applicant's arguments filed 08/12/2008 have been fully considered but they are not persuasive.

4. Applicant argues that DHCP does not disclose reserving resources "within a time interval defined by a start-time and a stop-time." The examiner respectfully disagrees. DHCP in Ch. 1, 5th paragraph, discloses that servers assign IP addresses to clients for a limited period of time (i.e. between a start and stop time.) The examiner notes that in the Applicant's arguments filed 08/12/2008 that "the Applicant acknowledges that DHCP, Ch. 1, 5th paragraph discusses assigning an IP address for a limited period of time or until the client relinquishes the address. The IP addresses are assigned for a limited period of time (i.e. bounded by a "start time" and a "stop time" or expiration date), as disclosed in DHCP.

5. Applicant argues that DHCP does not disclose "keeping said resources for the application after said stop-time has expired if said application still needs resources, wherein the resource manager is keeping a list of active reservations that have expired after said stop-time." However, DHCP in Ch. 4.3.1., 3rd paragraph, discloses that a lease on an IP address may be renewed after its expiration date (i.e. the resource is kept for the application after the stop-time has expired). Further, the server keeps a pool of addresses including expired lease addresses (See DHCP, Ch. 2.2, 2nd paragraph, and Ch. 4.3.1., 3rd paragraph.)

6. Applicant argues that DHCP does not disclose an "individual start-time". The examiner respectfully disagrees. DHCP in Ch. 3.1, 2nd paragraph, discloses that the client (i.e. application) suggests values for the network address and lease duration. Therefore individual start-times are disclosed. Further, DHCP in Ch. 1.6, paragraphs 8-10 discloses that the DHCP system

Art Unit: 2445

guarantees that any specific network address will not be in use by more than one DHCP client at a time. Therefore, any network address delegated by the system is actually an individual network address, which would comprise a corresponding lease duration (i.e. with an “individual” start and stop time).

7. Applicant argues that DHCP does not disclose that “resources are related to the bandwidth” as per claim 31. However, DHCP in Ch. 4.3.1., 3rd paragraph discloses the assignment of additional IP addresses to the network. Since the addition of IP addresses reflects an addition of connected devices to the network, this would reflect an increase in bandwidth since there are more devices causing more network traffic.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RJ/

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2445